

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

IKA KLAPAN,

Plaintiff,

**CONSENT ORDER OF
DISMISSAL**

-VS-

TULLY CENTRAL SCHOOL DISTRICT,


**Civil Action No. 5:17-cv-01193
GLS/DEP**

Defendant.

Defendant, Tully Central School District, filed a motion to dismiss Plaintiff's Federal employment discrimination claims for failure to satisfy the procedural prerequisites of these claims, and asking the Court to decline to exercise supplemental jurisdiction over Plaintiff's New York Human Rights Law claims. Plaintiff acknowledges that her claims brought under the Federal statutes are time-barred as claimed in Defendant's motion to dismiss and, therefore, consents to the dismissal of all her federal claims with prejudice. Plaintiff further consents to the dismissal of the state law claims brought in this action without prejudice to Plaintiff's ability to raise her New York state law claims in the New York Supreme Court. The parties agree to bear their own attorneys' fees and court costs with regard to this matter.

IT IS THEREFORE ORDERED that Plaintiff's Federal claims are dismissed with prejudice. The Court declines to exercise supplemental jurisdiction over Plaintiff's New York claims. This matter is dismissed without prejudice to Plaintiff's ability to bring her state law claims in the New York Supreme Court. Each party will bear their own attorneys' fees and court costs in this matter.

Entered this 20th day of December, 2017.


Judge Gary L. Sharpe
Senior District Judge

Approved:

THE BARNA LAW FIRM

By: /s/ Jim Barna
Jim Barna, Esq.

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